

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

ROGER W. McCARTY,

Petitioner,

vs.

GREG SIMS,

Respondent,

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Civil No. 07-39-MJR

ORDER

PROUD, Magistrate Judge

This matter is before the court for scheduling purposes. Respondent has filed a response¹ to Plaintiff's Petition for Writ of Habeas Corpus. Petitioner is granted fourteen (14) days from the date of this Order within which to file a reply to any factual or legal matters raised by Respondent. Either party may request an evidentiary hearing citing the reasons therefor. The court will consider any request and may, in appropriate situation, order an evidentiary hearing on its own motion.

If additional memoranda are desired by the court concerning any pertinent matter, it will be requested.

DATED: April 20, 2007

S/Clifford J. Proud
UNITED STATES MAGISTRATE JUDGE
CLIFFORD J. PROUD

¹ The response may have been an Answer with legal memorandum, a Motion to Dismiss, or Motion for Summary Judgment.